

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|            |   |                                  |   |              |
|------------|---|----------------------------------|---|--------------|
| Applicant  | : | Harold B. Dreyer                 | ) | Examiner:    |
|            |   |                                  | ) | Tara L. Mayo |
| Serial No. | : | 10/814,372                       | ) |              |
|            |   |                                  | ) | Art Unit:    |
| Cnfrm. No. | : | 5490                             | ) | 3671         |
|            |   |                                  | ) |              |
| Filed      | : | March 31, 2004                   | ) |              |
|            |   |                                  | ) |              |
| For        | : | BOOM SYSTEM FOR WATER FILTRATION | ) |              |
|            |   | IN SHALLOW WATER                 | ) |              |
|            |   |                                  | ) |              |

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**REQUEST FOR RECONSIDERATION**

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the office action dated October 4, 2007, applicant respectfully requests reconsideration of the asserted bases of objection/rejection.

The rejection of claims 1 and 5-20 under 35 U.S.C. § 112, first paragraph, as lacking descriptive support for each of the various types of support systems is respectfully traversed.

At page 2, lines 28-34, the present application clearly specifies that the a boom curtain can be connected to *one or more support systems* such that the boom curtain, or at least a portion thereof, is maintained in a sloped position within the body of water. At page 6, lines 16-17, the present application explicitly recites that the “one or more support systems can be a floating support system, a permanent or semi-permanent structural installation, or a combination thereof.” The application also contains a detailed description of floating support systems at page 6, line 18 to page 7, line 4. The permanent or semi-permanent structural installations are described at page 7, lines 5-12, where it is explicitly described as a combination of vertical and horizontal support members, which “*can take the form of a pier, dock, floating dock, etc.*”

With reference to Figure 1, one embodiment of the invention is shown. In this embodiment, the upper end of the upper curtain portion 12 is supported by two support systems. The first is sleeve 16 that contains therein flotation unit 18. The second support system is the structure 20, which is tethered to the sleeve 16 by a cable 21. The structure is explicitly described as a “floating dock, catwalk, or the like.” This support structure clearly embodies both vertical and horizontal support members, as shown in Figure 1. The central region of the curtain is connected to a third support system. The third support system is in the form of a boom float 26, which includes a sleeve 28 that contains a flotation unit 30.

Thus, this embodiment includes both a floating support system (comprising a plurality of flotation units) and a permanent or semi-permanent structural installation (comprising a plurality of pilings and one or more horizontal members spanning between adjacent pilings) attached to the upper end of the curtain (i.e., a combination), and a floating support system attached to the central region of the curtain.

With reference to Figure 2, a second embodiment of the invention is shown. In this embodiment, the upper end of the upper curtain portion 112 is supported by two support systems. The first is sleeve 116 that contains therein a flotation unit 118. The second support system is structure 120, which is tethered to the sleeve 116 by a cable 121. The structure is explicitly described as a “floating dock, catwalk, or the like.” This support structure clearly embodies both vertical and horizontal support members, as shown in Figure 2. The central region of the curtain is connected to a third support system. The third support system is in the form of a boom float 126, which is described as either a buoy (shown in Figure 2) or a sleeve that contains a flotation unit (as shown in Figure 1).

Thus, this embodiment includes both a floating support system (comprising a plurality of flotation units) and a permanent or semi-permanent structural installation (comprising a plurality of pilings and one or more horizontal members spanning between adjacent pilings) attached to the upper end of the curtain (i.e., a combination), and a floating support system attached to the central region of the curtain.

Persons of skill in the art would fully appreciate that the support system attached to the central region could also be in the form of a permanent or semi-permanent structural installation, as described in the present application and as shown connected to the upper end of the curtain. To require showing such a support system at each possible location in the claimed invention is unnecessary, because the explicit description indicates this is possible and such a support structure is nevertheless shown in the drawings at one of these two locations.

For these reasons, the rejection is improper and should be withdrawn.

In view of the foregoing, the objection to the drawings under 37 C.F.R. 1.83(a) is likewise improper. The structures as claimed are already shown in the drawings.

In view of all of the foregoing, applicant submits that the present application is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

Dated: March 28, 2008

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